

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

October 1, 2002

Ms. Nancy Mayer-Whittington
Clerk
United States District Court
1834 E. Barrett Prettyman
United States Courthouse
333 Constitution Avenue, N.W.
Washington, DC 20001-2802

FILED
LODGED
ENTERED
RECEIVED

OCT 03 2002

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY *WB* DEPUTY

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Knight v. Bayer Corp.

Your Number
1:02-336

WAW Number

CV02-2061

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber

Valerie Barber, Deputy Clerk
206-553-4170 ext 4



MD 01-01407 #00001030

1030

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U S COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

October 1, 2002

Ms. Loretta G. Whyte
Clerk
United States District Court
C-151 United States Courthouse
500 Camp Street
New Orleans, LA 70130-3367

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002 . We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number	WAW Number
Kennedy v. Novartis Pharmaceuticals Corp.	2 02-2331	

CV 02-2062

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber

Valerie Barber, Deputy Clerk
206-553-4170 ext 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

October 1, 2002

Mr. Richard Sletten
Clerk
United States District Court
202 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Oakes v. Novartis Corp.

Your Number
0:02-2913

WAW Number

CV02-2063

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber
Valerie Barber, Deputy Clerk
206-553-4170 ext 4

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK**

**BRUCE RIFKIN
CLERK**

**WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104**

October 1, 2002

**Ms. Patricia L. Brune
Clerk
United States District Court
2710 Charles Evans Whittaker
United States Courthouse
400 East Ninth Street
Kansas City, MO 64106**

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

**Title of Case
Rainey v. Bayer Corp.**

**Your Number
4:02-732**

WAW Number

CV02-2064

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber

**Valerie Barber, Deputy Clerk
206-553-4170 ext 4**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

October 1, 2002

Mr. Michael E. Kunz
Clerk
United States District Court
2609 James A. Byrne
United States Courthouse
601 Market Street
Philadelphia, PA 19106-1796

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number	WAW Number
Schneider v. Procter & Gamble Distrib.Co.	2:02-3109	
O'Keefe v. Procter & Gamble Distrib. Co.	2:02-3766	

CV02-2065
CV02-2066

Sincerely,

BRUCE RIFKIN, CLERK

By *Valerie Barber*

Valerie Barber, Deputy Clerk
206-553-4170 ext 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

October 1, 2002

Mr. Michael N. Milby
Clerk
United States District Court
Post Office Box 61010
Houston, TX 77208-1010

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-21) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 24, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case
Smith v. Wyeth

Your Number
4-02-2842

WAW Number

CV 02-2062

Sincerely,

BRUCE RIFKIN, CLERK

By

Valerie Barber

Valerie Barber, Deputy Clerk
206-553-4170 ext 4

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Morey L. Sear
United States District Court
Eastern District of Louisiana

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

September 24, 2002

Bruce Rifkin, Clerk
215 William Kenzo Nakamura
U.S. Courthouse
1010 Fifth Avenue
Seattle, WA 98104

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule CTO-21)

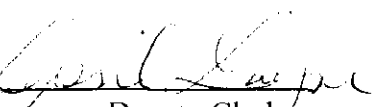
Dear Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on September 6, 2002. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachments

cc: Transferee Judge: Hon. Barbara Jacobs Rothstein
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)



MD 01 01407 00001016

JPML Form 38

1016

SEP 6 - 2002

FILED
CLERK'S OFFICE

A CERTIFIED TRUE COPY

DOCKET NO. 1407

SEP 24 2002

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
ATTEST *[Signature]*
FOR THE JUDICIAL PANEL OF
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-21)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 625 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 24 2002

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-21 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. CIVIL ACTION#

CALIFORNIA NORTHERN

~~CAN 3 02-3715 Karen Lundgren v. Chattem, Inc., et al. OPPOSED 9/24/02~~

DISTRICT OF COLUMBIA

DC 1 02-336 Angela D. Knight v. Bayer Corp.

LOUISIANA EASTERN

LAE 2 02-2331 Pamela Jo Kennedy, et al. v. Novartis Pharmaceuticals Corp., et al.

~~LAE 2 02-2436 Daphine B. Donnelly, et al. v. Bayer Corp., et al. OPPOSED 9/24/02~~

~~LAE 2 02-2468 Gloria Celestine v. Wyeth Co., et al. OPPOSED 9/24/02~~

~~LAE 2 02-2485 Ann Knapper v. Wyeth Co., et al. OPPOSED 9/24/02~~

MINNESOTA

MN 0 02-2913 Tracey Oakes v. Novartis Corp.

MISSOURI WESTERN

MOW 4 02-732 Ricardo Rainey v. Bayer Corp., et al.

PENNSYLVANIA EASTERN

PAE 2 02-3109 Denise Schneider v. Procter & Gamble Distributing Co.

PAE 2 02-3766 Diane O'Keefe, etc. v. Procter & Gamble Distributing Co.

TEXAS SOUTHERN

TXS 4 02-2842 Sheila M. Smith v. Wyeth

**INVOLVED COUNSEL LIST FOR SCHEDULE CTO-21
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

William P. Studer
Oppenheimer, Wolff & Donnelly
3400 Plaza VII Building
Minneapolis, MN 55402

W. Paul Andersson
Leake & Andersson, L.L.P.
1100 Poydras Street, Suite 1700
New Orleans, LA 70163-1701

Lee B. Balefsky
Greitzer & Locks
1500 Walnut Street, 20th Floor
Philadelphia, PA 19102-3580

Philip Bohrer
Bohrer Law Firm
3388 Brentwood Drive
Baton Rouge, LA 70809

Joy Goldberg Braun
Sessions, Fishman & Nathan, LLP
201 St. Charles Avenue, Suite 3500
New Orleans, LA 70170-3500

Charles A. Browning
Moore & Browning
595 Market Street, Suite 1320
San Francisco, CA 94105

Clayton Clark
Clark, Depew & Tracey, Ltd.
440 Louisiana, Suite 1600
Houston, TX 77002

J. Robert Davis, Jr.
J. Robert Davis, LLP
440 Louisiana Avenue, Suite 1600
Houston, TX 77002

David E. Dukes
Nelson, Mullins, Riley & Scarborough, LLP
1330 Lady Street
Keenan Bldg., 3rd Floor
P.O. Box 11070
Columbia, SC 29211

Joseph Francis Durio
647 Main Street
P.O. Box 2993
Baton Rouge, LA 70801

Michael D. Fishbein
Levin, Fishbein, Sedran & Berman
510 Walnut Street, Suite 500
Philadelphia, PA 19106

David P. Graham
Oppenheimer, Wolff & Donnelly, L.L.P.
3400 Plaza VII Building
45 South Seventh Street
Minneapolis, MN 55402

Alan R. Gries
Hecker, Brown, Sherry & Johnson
1700 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103

Francis M. Hadden
Hecker, Brown, Sherry & Johnson
1700 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103

Douglas A. Hofmann
Williams, Kastner & Gibbs
P.O. Box 21926
Seattle, WA 98111

Joseph Hurson
Lane, Powell, Spears & Lubersky, LLP
1420 5th Avenue, Suite 4100
Seattle, WA 98101

James B. Irwin, V
Irwin, Fritchie, Urquhart & Moore, L.L.C.
400 Poydras Street, Suite 2700
New Orleans, LA 70130

Lisa Zeiler Joiner
Fulbright & Jaworski
801 Pennsylvania Ave., N.W.
Washington, DC 20004

Dana G. Kirk
Kirk Law Firm
4265 San Felipe Street
Suite 1400
Houston, TX 77027

J. Chandler Loupe
Claitor & Loupe
2223 Quail Run Drive, Suite G
Baton Rouge, LA 70808

Peter S. Obetz
Bartimus, Frickleton, Robertson & Obetz
11150 Overbrook Road, Suite 200
Leawood, KS 66211

John F. Olinde
Chaffe, McCall, Phillips, Toler & Sarpy
2300 Energy Centre
1100 Poydras Street
New Orleans, LA 70163-2300

Lance Eugene Palmer
Levinson, Friedman, Vhugen, et al.
720 3rd Avenue, Suite 1800
Seattle, WA 98101

Michelle A. Parfitt
Ashcraft & Gerel
2000 L Street, NW, Suite 400
Washington, DC 20036

Gale Diane Pearson
Robinson, Calcagnic & Robinson
1012 Grain Exchange Building
400 South Fourth Street
Minneapolis, MN 55415

Charles F. Preuss
Drinker Biddle & Reath
225 Bush Street, 15th Floor
San Francisco, CA 94104

Edward J. Rice, Jr.
Adams & Reese
4500 One Shell Square
New Orleans, LA 70139

Robert M. Schick
Vinson & Elkins
2300 First City Tower
1001 Fannin
Houston, TX 77002-6760

Christopher A. Seeger
Seeger Weiss, LLP
One William Street
New York, NY 10004-2502

Randolph S. Sherman
Kaye Scholer, LLP
425 Park Avenue, 12th Floor
New York, NY 10022

Peter Simshauser
Skadden, Arps, Slate, Meagher & Flom
300 South Grand Avenue, Suite 3400
Los Angeles, CA 90071-3144

Smoothie King Co.
c/o Stephen Kuhnau, Sr.
2400 Veterans Blvd., Suite 110
Kenner, LA 70062

**INVOLVED JUDGES LIST FOR SCHEDULE CTO-21
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

Hon. Anita B. Brody
U.S. District Judge
4000 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

~~Hon. Kurt D. Engelhardt
U.S. District Judge
C-317 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130~~

~~Hon. Martin L.C. Feldman
U.S. District Judge
C-555 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130-3318~~

Hon. Gary A. Fenner
U.S. District Judge
8452 Charles E. Whittaker
U.S. Courthouse
400 East 9th Street
Kansas City, MO 64106

Hon. Sim Lake
U.S. District Judge
9535 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

~~Hon. Elizabeth D. Laporte
U.S. Magistrate Judge
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102~~

~~Hon. Ivan L.R. Lemelle
U.S. District Judge
C-525 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130~~

Hon. John R. Padova
U.S. District Judge
6614 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. G. Thomas Porteous, Jr.
U.S. District Judge
C-206 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130-3325

Hon. Richard W. Roberts
U.S. District Judge
E. Barrett Prettyman
U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, DC 20001

Hon. James M. Rosenbaum
Chief Judge, U.S. District Court
15E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

INVOLVED CLERKS LIST FOR SCHEDULE CTO-21
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Loretta G. Whyte, Clerk
C-151 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130-3367

Michael E. Kunz, Clerk
2609 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Michael N. Milby, Clerk
United States District Court
P.O. Box 61010
Houston, TX 77208-1010

Nancy Mayer-Whittington, Clerk
1834 E. Barrett Prettyman
U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, DC 20001-2802

Patricia L. Brune, Clerk
2710 Charles Evans Whittaker
U.S. Courthouse
400 E. Ninth Street
Kansas City, MO 64106

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

~~Richard W. Wicking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489~~